

PROB 12B
(7/93)

Report Date: June 3, 2013

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 03 2013

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Orlando Raul Rodriguez

Case Number: 2:09CR02076-003

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 7/19/2010

Type of Supervision: Supervised Release

Original Offense: Unlawful Sale of Firearm, 18
U.S.C. § 922(d)

Date Supervision Commenced: 5/3/2013

Original Sentence: Prison - 30 Months; TSR - 36
Months

Date Supervision Expires: 11/2/2015

PETITIONING THE COURT

To remove the following special condition:

- 14 You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

CAUSE

On November 28, 2012, Mr. Rodriguez appeared before Your Honor on a supervised release revocation hearing. The defendant's supervised release was revoked and he was sentenced to 6 months confinement, in addition to a special condition for Mr. Rodriguez to reside at the residential reentry center (RRC) for a period of up to 180 days. The purpose of the RRC placement was for the defendant to have a stable residence and to enroll in the STEP program in Spokane.

Mr. Rodriguez entered the Spokane RRC as required on May 3, 2013.

Mr. Rodriguez was referred to the Spokane STEP program and is currently on the waiting list, which is anticipated to be approximately 2 months, before he is able to enter the program.

Mr. Rodriguez has submitted a proposed release address to reside with his girlfriend Vanessa Unizar at 1312 West Lincoln Avenue, apartment number 6, Yakima, Washington. A home inspection has been completed and this release placement is found to be suitable. Mr. Rodriguez has also found employment at Besty Farms in Moxee, Washington, and is currently scheduled to start work on June 10, 2013. This officer has confirmed this employment opportunity with his employer.

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Mr. Rodriguez has expressed interest in participating in the STEP program in Yakima and a referral has been made. Mr. Rodriguez is eligible to start this program as early as July 2, 2013.

At this time, based on the defendant having a suitable residence in Yakima, finding employment, and his willingness to participate in STEP, it does not appear that his continued stay at the RRC would be beneficial to either the defendant or the RRC. Therefore, this officer respectfully recommends the above-noted special condition to reside at the RRC as noted above be removed and allow Mr. Rodriguez to return Yakima as early as June 5, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

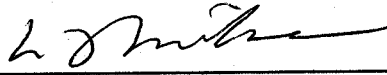
Executed on: June 3, 2013

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☐ The Modification of Conditions as Noted Above
☒ Other: To Remove the Special Condition as Noted Above


Signature of Judicial Officer

6 / 3 / 13
Date